

RESOLUTION NO. 69-97

RESOLUTION OF THE BOARD OF DIRECTORS OF TIMBERLAKE PINES COUNTY ROAD IMPROVEMENT DISTRICT OF NAVAJO COUNTY, ARIZONA, SETTING THE DATE FOR THE HEARING ON THE ASSESSMENT AND ORDERING THE GIVING OF NOTICE OF SUCH HEARING.

WHEREAS, pursuant to Resolution No. 44-96 this Board initiated certain improvements within Timberlake Pines County Road Improvement District of Navajo County, Arizona (the "District"); and

WHEREAS, this Board has received bids for construction of the work described in Resolution No. 44-96 and has authorized the execution of a contract between Show Low Construction, and the Superintendent of Streets of the District pertaining the construction of such improvements; and

WHEREAS, this Board has approved the assessment diagram pertaining to the work.

WHEREAS, the Superintendent of Streets has informed this Board that he has executed and recorded the assessment, assessing the cost of construction and incidental expenses for said work against the properties located within the District; and

WHEREAS, it is now in order for this Board to fix a time when it will hear and pass upon the assessment and the proceedings theretofore had and taken with respect thereto;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TIMBERLAKE PINES COUNTY ROAD IMPROVEMENT DISTRICT OF NAVAJO COUNTY, ARIZONA, that:

Section 1. The Board hereby sets the date for hearing on the assessment heretofore recorded by the Superintendent of Streets of the District to be held at the following time and place:


Date of Hearing:	July 7, 1997
Time of Hearing:	<u>11:00 AM.</u>
Place of Hearing:	Board of Supervisors Meeting Room 100 E. Carter/S. Highway 77 Holbrook, AZ 86025

Section 2. The Notice of Hearing on Assessment shall be substantially in the form attached hereto and marked Exhibit A. The Board hereby orders that said Notice be published and mailed as follows: publish a copy of said Notice five (5) days in The Heber Times; the first publication to be at least ten (10) days prior to the hearing and mail a copy of said

Notice, and a demand for cash payment of the individual assessments for the respective lots to all owners of record as shown on the records of the Navajo County Assessor and to every person interested who has filed his/her name and address with the Superintendent of Streets requesting such notice.

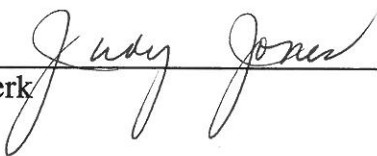
Section 3. The Superintendent of Streets shall file an affidavit and supporting papers in conformance with the directions contained in this resolution.

PASSED AND ADOPTED on June 9, 1997.



Chairman, Board of Directors of Timberlake
Pines County Road Improvement District of
Navajo County, Arizona

ATTEST:



Clerk

OFFICE OF THE SUPERINTENDENT OF STREETS

Communication to the Board of Directors of Timberlake Pines County Road Improvement District of Navajo County, Arizona:

Honorable Board:

The undersigned Superintendent of Streets of Timberlake Pines County Road Improvement District of Navajo County, Arizona, hereby informs you that, on June 9, 1997, he caused to be recorded in the office of the Superintendent of Streets an assessment and an assessment diagram in accordance with § 48-927, Arizona Revised Statutes.

DATED: June 9, 1997.

A handwritten signature in cursive script, appearing to read "Chuck L. Williams", written in dark ink.

Superintendent of Streets of Timberlake Pines
County Road Improvement District of Navajo
County, Arizona

NOTICE OF HEARING ON ASSESSMENT

TIMBERLAKE PINES COUNTY ROAD IMPROVEMENT DISTRICT OF NAVAJO COUNTY, ARIZONA.

TO: THE OWNERS OF PROPERTY WITHIN TIMBERLAKE PINES COUNTY ROAD IMPROVEMENT DISTRICT OF NAVAJO COUNTY, ARIZONA; ALL OTHER PERSONS CLAIMING AN INTEREST IN SUCH PROPERTY OR THE CONSTRUCTION OF IMPROVEMENTS IN SUCH DISTRICT; AND SHOW LOW CONSTRUCTION.

NOTICE IS HEREBY GIVEN that a hearing on the assessment heretofore recorded by the Superintendent of Streets of Timberlake Pines County Road Improvement District of Navajo County, Arizona (the "District"), will be held at the following time and place:

DATE OF HEARING: July 7, 1997
TIME OF HEARING: 11:00 A.M.
PLACE OF HEARING: Board of Supervisors Meeting Room
100 E. Carter/S. Highway 77
Holbrook, AZ 86025

Said assessment covers the costs and expenses of the construction of improvements within such District and all incidental expenses thereto. The total assessment to be levied against and allocated among the parcels and property in the District shall not exceed the District Engineer's estimate of \$618,000 before the reserve fund amount (10% of the unpaid amount) is spread among assessments which do not pay in cash prior to July 1, 1997. Said work will be done in accordance with the contract between Chuck Williams, the District Superintendent of Streets, and Show Low Construction. Copies of the contract and all proceedings pertaining thereto are on file in the office of the Clerk of the Board of Directors of the District, whose office is that of the Clerk of the Board of Supervisors of Navajo County. Said work will be done in accordance with Resolution No. 44-96 adopted by the Board of Directors of the District on August 12, 1996.

The property assessed to pay for the costs and expenses of the construction of the aforementioned work comprises all of the lots, portions of lots and pieces of land included within the District boundaries as shown on the attached Exhibit A, as shown on the recorded plat or plats thereof filed in the office of the County Recorder of Navajo County as indicated above; excepting therefrom any portion of any public street or alley that may be included in the above described District. The allocation of the costs and expenses among the lots, parcels and property within the District is set forth in the Assessment which was recorded on June 9, 1997 in the office of Chuck Williams, Superintendent of Streets for the District.


The work to be constructed is further described as: improve the streets within the District to Navajo County gravel road standards.

Improvement bonds extending over a period of approximately ten (10) years from their date (which shall be on or about July 1, 1997) and bearing interest at the rate of not to exceed nine percent (9%) per annum will be issued under the provisions of Section 48-901 through 48-965, Arizona Revised Statutes, and all amendments thereto, in the name of the District, but payable only out of the special fund to be provided from collections of assessments greater than \$25.00 levied against the property situated within said District as above mentioned.

The installments of the assessment not paid by July ___, 1997 will be added to the tax bills for state and local taxes. The assessment installments shall be collectable in the manner and by the officers provided by law for the collection and enforcement of general taxes.

Any owner, the contractor and all other persons interested in the work or in the assessment who have any objections to the legality of the proceedings or who wish to object to the assessment or any part thereof or who wish to seek the modification of any assessment, may, at any time prior to the date and time set for the hearing, file with the Clerk of the Board of Directors of the District at the address stated above a written notice briefly specifying the grounds of such objection. At the time fixed for such hearing, or at any time or times not later than ten (10) days thereafter to which such hearing may be postponed, said Board of Directors will hear and pass upon all objections so made and filed. The decision of the Board of Directors upon the hearing shall be final and conclusive upon all persons entitled to object as to all errors, informalities and irregularities which said Board of Directors might have remedied or avoided at any time during the progress of the proceedings.

This notice is published and mailed in accordance with the action of said Board of Directors taken, passed and adopted on June 9, 1997.


Clerk, Board of Directors of Timberlake Pines County
Road Improvement District of Navajo County, Arizona

The Board has ordered that this Notice be published and mailed as follows:

PUBLISH:

Five days in The Heber Times and two days in the Pine Graphics. First publication in each paper to be at least ten days prior to the hearing.

MAIL:

At least twenty days prior to the hearing by first class mail to all persons owning real property in the District and affected by the Assessment as shown on the last assessment roll for state and county purposes.